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November 15, 2024

MEMO ENDORSED

VIA ECF

Hon. Katherine Polk Failla
United States District Court for the Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Competello v. Jersey Roots Dispensary LLC
Civil Action No.: 24-7960

Dear Judge Failla:

This firm represents Defendant in the above referenced action. Plaintiff instituted this action on October 18, 2024. (ECF No. 1). Despite not being reflected on the Docket, Defendant was served with the Complaint on October 25, 2024.¹ Accordingly, its deadline to answer or otherwise respond to the Complaint is today, November 15, 2024. Since being served, the Parties have actively been discussing an amicable resolution to this action without further judicial intervention.

In light of the foregoing, Defendant respectfully requests a 60-day extension of its time to answer or otherwise respond to Plaintiff's Complaint to allow the Parties to further explore potential resolution of this case. There have been no prior extensions of this deadline. Defendant has sought the consent of Plaintiff on several occasions before submitting this letter motion, but has not received a response.

¹ For purposes of this letter, Defendant concedes this date merely for the purpose of calculating the deadline to answer or otherwise respond. Defendant expressly reserves the right to challenge the efficacy of service process at the appropriate time, if necessary.

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We thank the Court for its consideration and remain available to answer any questions it may have.²

Respectfully submitted,

/s/ Mark M. Makhail
Mark M. Makhail

cc: All Counsel of Record (via ECF)

The Court is in receipt of Defendant's above lettering requesting an extension of its answer deadline. (Dkt. #5). The Court is also in receipt of Plaintiff's letter, consenting to this request. (Dkt. #6).

In light of the parties' submissions, Defendant's deadline to answer, move, or otherwise respond to the Complaint is hereby ADJOURNED *nunc pro tunc* to **January 14, 2025**.

The Clerk of Court is directed to terminate the pending motion at docket entry 5.

Dated: November 18, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE

² This submission is made solely to seek an extension of time and is made without prejudice to, and with full reservation of, any and all defenses, waivable and unwaivable, Defendant may have.